



EXA /
Deputy Director
for Administration

27 March, 1987

Note To: Executive Secretary

Subject: Letter from IOLUG

Larry,

I'm returning the attached letter from the Indiana Online User Group with my recommendation that we take no action on it. The IOLUG letter references the NTISSP No. 2 directive on sensitive but unclassified information -- which has already been rescinded. Thus, this "form letter" style of complaint is overtaken by events.

In light of the obvious shotgun nature of the complaint letter, and the fact that the press has widely covered the NTISSP No. 2 rescission, I suggest we just file this without response. OK with you?



Executive Assistant to the DDA

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ORIG:EXA/DDA:



Distribution:

- Original - Addressee
- 1 - DDA Subject
- 1 - DDA Chrono
- 1 - EXA/DDA Chrono

EXECUTIVE SECRETARIAT

ROUTING SLIP

TO:

		ACTION	INFO	DATE	INITIAL
1	DCI				
2	DDCI				
3	EXDIR				
4	D/ICS				
5	DDI				
6	DDA	(X)			
7	DDO				
8	DDS&T				
9	Chm/NIC				
10	GC				
11	IG				
12	Compt				
13	D/OCA				
14	D/PAO				
15	D/PERS				
16	D/Ex Staff				
17	D/OIT		(X)		
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SUSPENSE

Date

Remarks

HL
Executive Secretary
26 Mar '87

Date

3637 (10-81)

Executive Registry

87-1120x

March 17, 1987



The Honorable Robert M. Gates
Acting Director of Central Intelligence
Central Intelligence Agency
Washington, DC 20505

Dear Mr. Gates:

As President of the Indiana Online User Group (IOLUG), a statewide association of 92 professional searchers of online databases, I am writing on behalf of the organization to protest the attempt by the Department of Defense and the National Security Council to restrict access to unclassified information and to monitor use of commercial electronic databases. In connection with this, IOLUG endorses the Information Industry Association's statement on this matter, as reprinted in the January 1987 issue of Information Times. (A copy of the text is attached.)

We of IOLUG feel that this unwarranted attempt to hamper the free flow of information is a threat to research and education throughout the country, as well as to the rights of the citizenry to be well informed. We hope that the federal government will not persist in these unwise actions.

Sincerely,

Pat Ensor

Pat Ensor
President, Indiana Online Users Group

Information Industry Statement Opposing DOD Restrictions

Recent events suggest that certain persons within the United States government are attempting to restrict or monitor citizen access to unclassified information that is now generally available to the public.

On October 29, 1986, the President's National Security Advisor issued a new, extremely broad security classification for government information: "sensitive but unclassified information." Implementation of this definition, which includes "human, financial, industrial, agricultural, technological, and law enforcement information," could deny citizens the right to acquire government information which has traditionally been available to the public.

On November 11, 1986, a senior Department of Defense official stated that privately owned, unclassified electronic databases would be reviewed for "sensitive but unclassified information" and that access to these databases may be restricted or systems installed to monitor who uses them. Such actions could severely limit the information available to citizens, have a chilling effect upon those who wish to acquire information, and curtail the ability of U.S. information companies to do business.

Over the last few months, representatives from the Department of Defense, Central Intelligence Agency and Federal Bureau of Investigation have been visiting private information companies to ask questions about who is using their information and for what purposes. It appears that the national security community is attempting to intimidate information companies into restricting access to their information or policing who uses it.

These government actions appear to be in response to concerns that foreign access to information, especially where available through new technologies such as online databases, is a potential threat to United States national security. Although the basis for these concerns has not been publicly documented, it is apparent that the information in question is unclassified government and private sector information that any citizen can easily and legally obtain by going to a public library. Should there be legitimate national security concerns about foreign access to information, the protection of such information must be addressed in accordance with the democratic process of checks and balances. Individual government officials cannot be permitted to

restrict the right of citizens to create, acquire, use and disseminate information in a manner that contravenes Constitutional and statutory law.

The United States information industry is seriously concerned that certain individuals or organizations of the United States government are, in a manner that is inconsistent with democratic traditions, attempting to regulate or restrict access to unclassified government and privately-owned information now generally available to the public. Accordingly the Board of Directors of the Information Industry Association adopted the following set of principles at its December 16, 1986 meeting:

The United States democracy is an open society in which freedom of speech, freedom of the press, and the rights of citizens to create, acquire, use and disseminate information are fundamental rights.

The traditional United States policy of not restricting foreign access to information that is generally available to the public is sound. Any change in that policy would inevitably result in limiting the ability of U.S. citizens and allies to acquire information.

Citizens and organizations should be free to acquire, use and disseminate information generally available to the public without fear of government interference or monitoring.

The unimpeded flow of information and the innovative use of new technologies contribute to the nation's technological, economic and political strength, thereby maintaining the United States position as a world leader.

In accordance with these principles, the Information Industry Association has adopted the following position:

United States policy should continue to foster openness and the unimpeded flow of information. Restrictions imposed on the right of citizens to create, acquire, use and disseminate information should be the absolute minimum necessary to protect national security.

National security is best protected by using the long existing classification system to ensure that government information vital to the nation's security is not released to the public. The concept of "sensitive but unclassified information" provides an unchecked hunting license for government officials to deny citizens access to information and must be rejected.

The security classification system should not be used to unnecessarily restrict public access to government information; the decision to classify information should weigh national security interests against the right of the public to acquire information.

Classification of information for national security purposes should not be based upon the media in which the information is available. Information which is unclassified and available to the general public, such as in print through a library, must not be restricted or classified when it enters an electronic database.

Once government information is released to the public, the government should not restrict the right of citizens to access such information or require information providers to monitor who uses the information.

If Department of Defense and other government agencies are concerned that public access to unclassified information is detrimental to the national security, they should make public the full bases of these concerns.

All information users must be assured that their privacy and confidentiality are fully protected in accordance with law and the highest possible ethical business practices. Authors, publishers and other information producers and providers must be assured that their creation of information, or their use and dissemination of unclassified government information, does not subject them to government censorship.

Government agencies should not attempt to dissuade information companies from legal business practices through intimidation or coercion.

The United States has spent 200 years in achieving a balance between national security interests and the right of citizens to create, acquire, use, and disseminate information. Changes in this balance should take place in an open forum in which all citizens have an opportunity to participate. Such a forum is the Congress of the United States.

--Information Times
January 1987 (Vol. 6, No. 9)